

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

September 24, 2004

OK

TO: Internal File

THRU: Karl R. Houskeeper, Environmental Scientist III, Team Lead *KRH by an*

FROM: Joseph C. Helfrich, Environmental Scientist III/Biologist *JCH*

RE: 2004 Midterm Permit Review, Andalex Resources, Inc., Centennial Mine, C/007/019, Task ID #1985

SUMMARY:

On April 2, 2004, the Division sent a Midterm review notification to Andalex Resources Inc. The document contained a list of five items chosen for review, one of which included a review of the approved MRP to note any changes in the consumption of water in the mining process. On June 30, 2004, the Division provided Andalex Resources, Inc. the technical analyses of the midterm review. On July 27, 2004, the Division received a submittal from Andalex Resources, Inc. The submittal addressed the three deficiencies noted in the Division's technical analyses. This memo will include a review of that information to ensure compliance with the U.S. Fish and Wildlife Service Windy Gap Process.

TECHNICAL ANALYSIS:

OPERATION PLAN

FISH AND WILDLIFE INFORMATION

Regulatory Reference: 30 CFR Sec. 784.21, 817.97; R645-301-322, -301-333, -301-342, -301-358.

Analysis:

Endangered and Threatened Species

The mine has potential, through water depletions; of adversely affecting four listed threatened and endangered fish species of the upper Colorado River drainage. The Fish and Wildlife Service requires mitigation when water depletions exceed 100 acre-feet annually.

Page 5-10 of the application has been revised to include a reference to page 3-20a, table III-12. This table, (Potential Water Depletion to Colorado River Drainage), is also part of the application. The information in the table includes calculations for projected water depletion and water addition. The end result is a net gain of 47.61 acre feet/year of water to the Colorado River Drainage system. The U. S. Fish and Wildlife Service have concurred with these findings in a document from Henry Maddux to Pamela Grubaugh-Littig dated September 1, 2004.

Findings:

The information provided in the application is adequate to meet the requirements of this section of the regulations.

RECOMMENDATIONS:

This portion of the Midterm Review is recommended for approval.